

Pending General Plan Amendments



As part of the City's comprehensive update of its General Plan, all pending General Plan Amendment applications currently on file with the City must be resolved prior to adoption of a new General Plan. Because these applications request amendments to components of the *Focus on the Future San Jose 2020 General Plan* that are not contained within the proposed new General Plan, the applications will become obsolete if the existing *Focus on the Future San Jose 2020 General Plan* is replaced with the *Envision San José 2040 General Plan*. Also, because it is a requirement under the California Environmental Quality Act (CEQA) to analyze pending potential General Plan Amendments as part of the preparation of a Program Environmental Impact Report (PEIR) for the General Plan update, the number of pending applications on file directly impacts the work scope for completion of the Envision CEQA process. Accordingly, on October 19, 2010 the City Council accepted a process to resolve the pending General Plan Amendment applications on the *San Jose 2020 General Plan* as part of the Envision General Plan update process. Several of the pending General Plan Amendment applications were subsequently considered and acted upon by the City Council at public hearings conducted on December 7, 2010; January 25, 2011; February 15, 2011; and June 21, 2011.

On January 25, 2011, the City Council also provided direction to staff on the scope of land use options to be addressed within the Envision Draft PEIR. As part of this direction, the Council accepted staff's analysis that the land use changes requested in seven of the pending applications were consistent with the Draft Envision Plan goals and could be included within the proposed Envision Land Use/Transportation Diagram. The City Council directed staff to address two of the pending General Plan Amendments (iStar and Rancho del Pueblo) as "Options" within the Envision Draft PEIR. In response to one additional pending Amendment (Coyote Valley Memorial Park), the Council considered the appropriate land uses for areas designated Open Hillside on the Draft Envision Diagram located outside of the Urban Growth Boundary (UGB), and advised staff to strengthen and protect lands outside of the City's UGB while also providing reasonable opportunities for appropriate uses and development on these lands. The Envision Task Force also discussed this specific issue at its March 21, 2011 meeting.

The following analysis addresses the remaining three pending General Plan Amendment applications Rancho del Pueblo (GP10-05-01), iStar (GP07-02-01) and Memorial Park (GP04-10-01) which need to be resolved as part of the Envision General Plan update process.

GP07-02-01 (iStar in Edenvale)

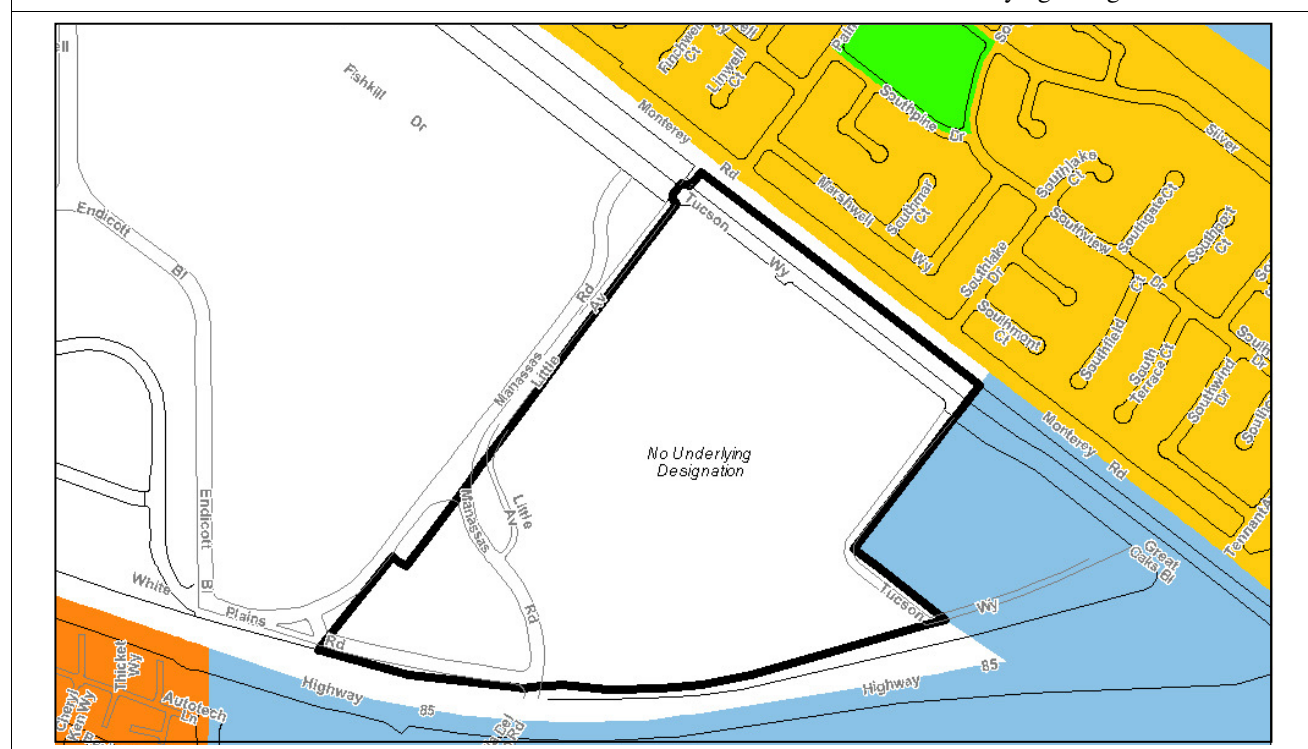
PROJECT DESCRIPTION: A General Plan Amendment to change the Land Use/Transportation Diagram designation from Mixed Used with No Underlying Designation to Medium High Density Residential (12-25 DU/AC) on a 76-acre site.

LOCATION: North side of Hwy 85, appr. 1200' West of Monterey Road

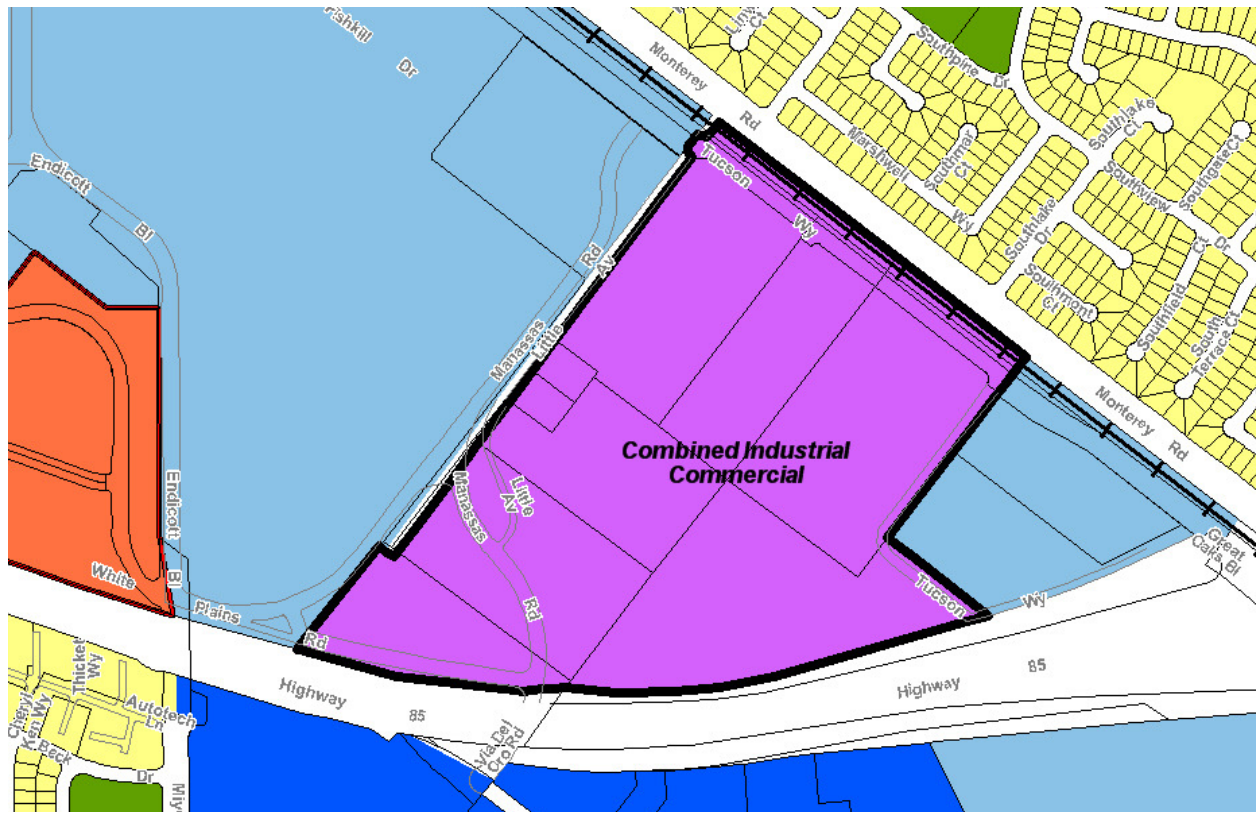
Council District: 2 SNI/RDA: Edenvale



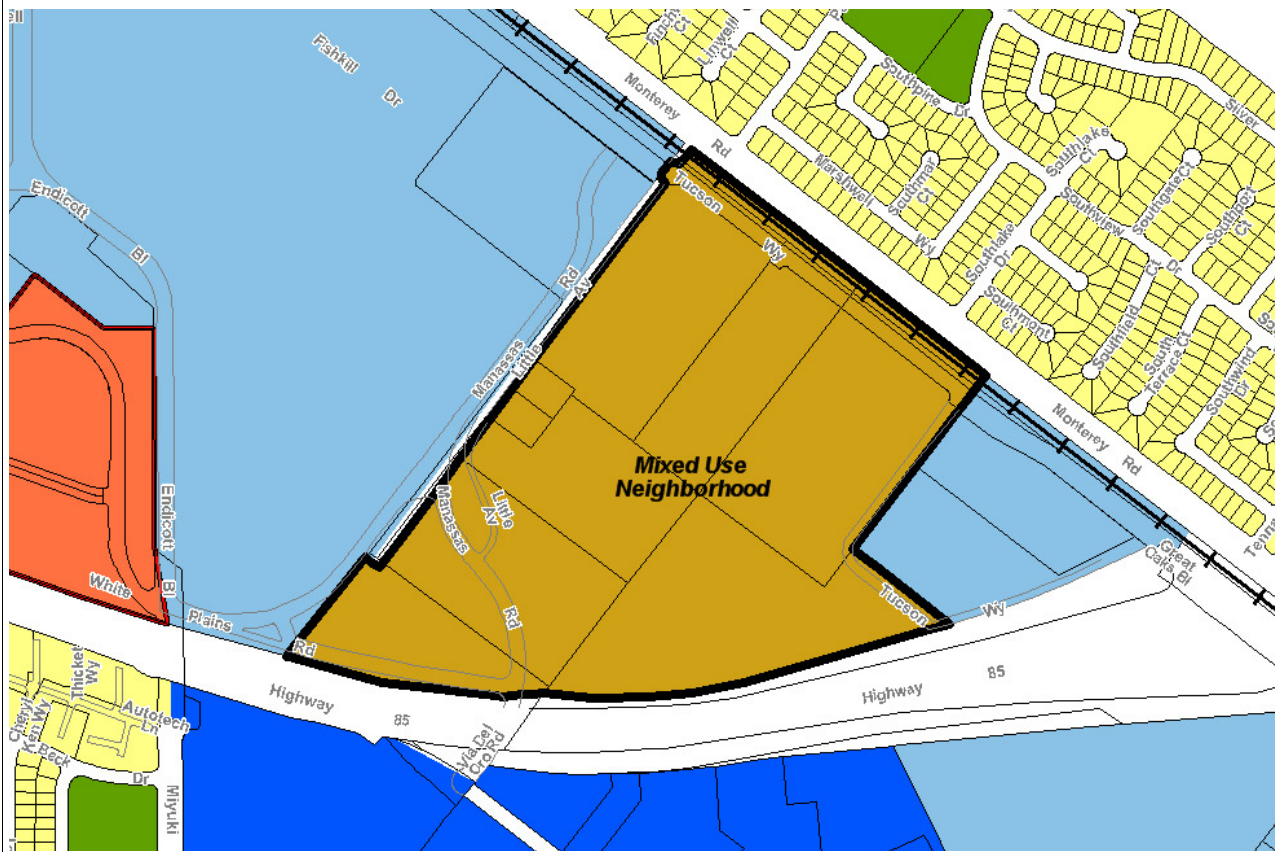
EXISTING SAN JOSE 2020 GENERAL PLAN: Mixed Used with No Underlying Designation



ENVISION SAN JOSE 2040 DESIGNATION: Combined Industrial / Commercial



APPLICANT'S PROPOSED ENVISION SAN JOSE 2040 DESIGNATION: Mixed Use Neighborhood



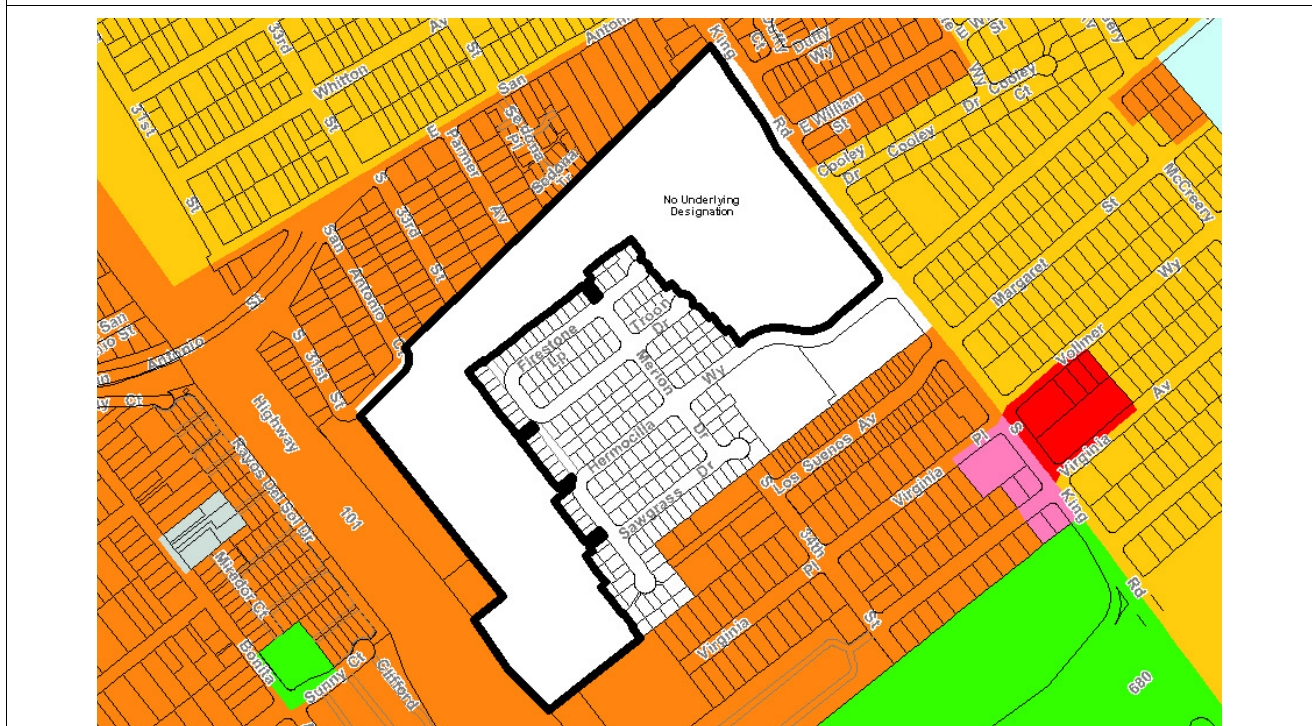
GP10-05-01 (Rancho Del Pueblo)

PROJECT DESCRIPTION: A General Plan Amendment to change the Land Use/Transportation Diagram designation from Campus Industrial to Medium Density Residential (8-16 DU/AC), Medium Low Density Residential (8 DU/AC) or Low Density Residential (5 DU/AC) and Public Park and Open Space on a 320 acre site.

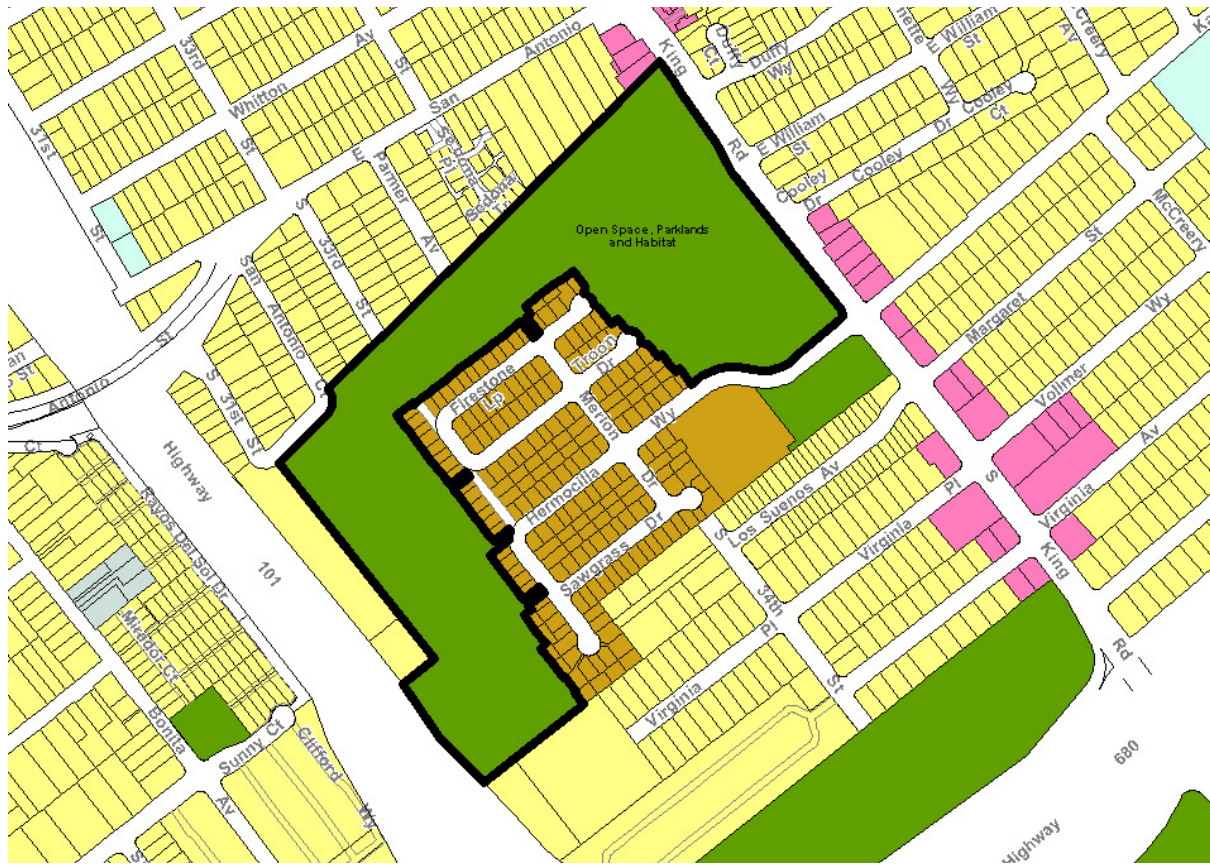
LOCATION: 1649 Hermocilla Way **Council District:** 5 **SNI/RDA:** Gateway East SNI/RDA Area



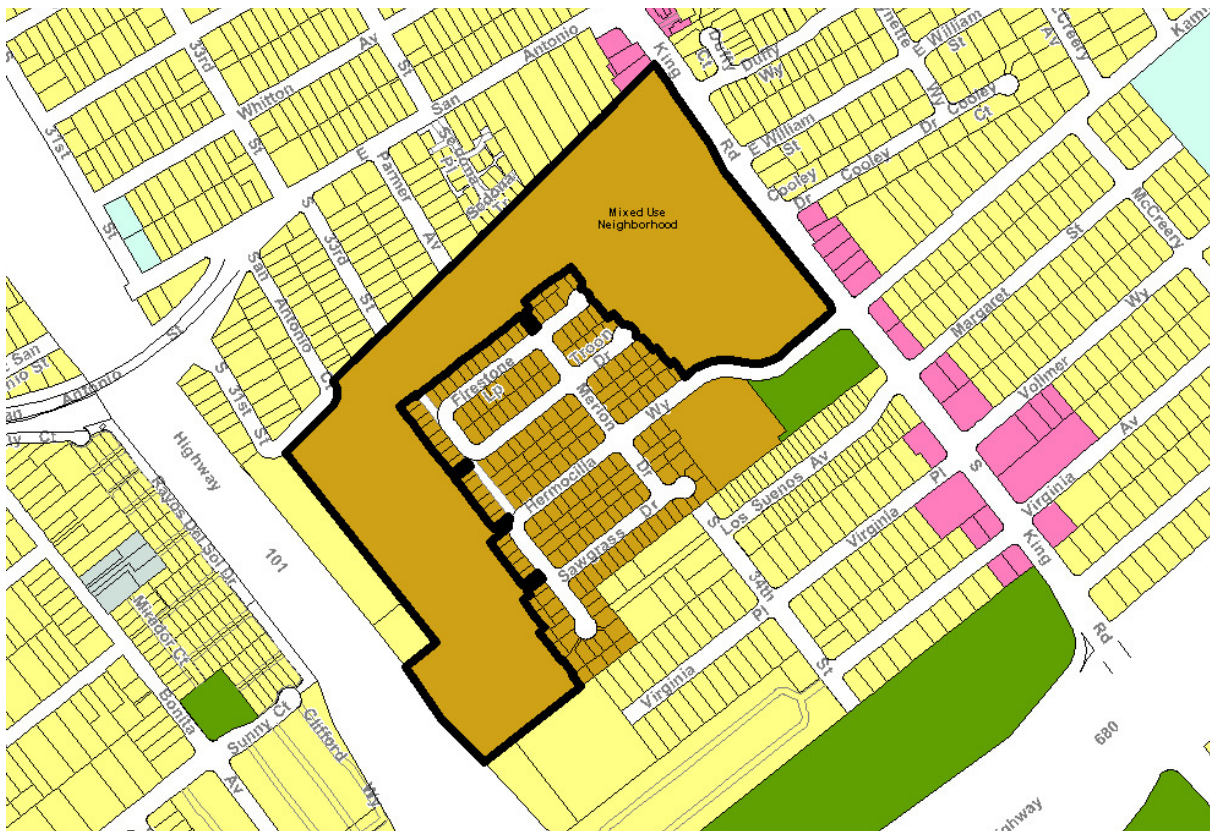
EXISTING SAN JOSE 2020 GENERAL PLAN: Mixed Used with No Underlying Designation



ENVISION SAN JOSE 2040 DESIGNATION: Open Space, Parklands and Habitat



APPLICANT'S PROPOSED ENVISION SAN JOSE 2040 DESIGNATION: Mixed Use Neighborhood



GP04-10-01 (Memorial Park)

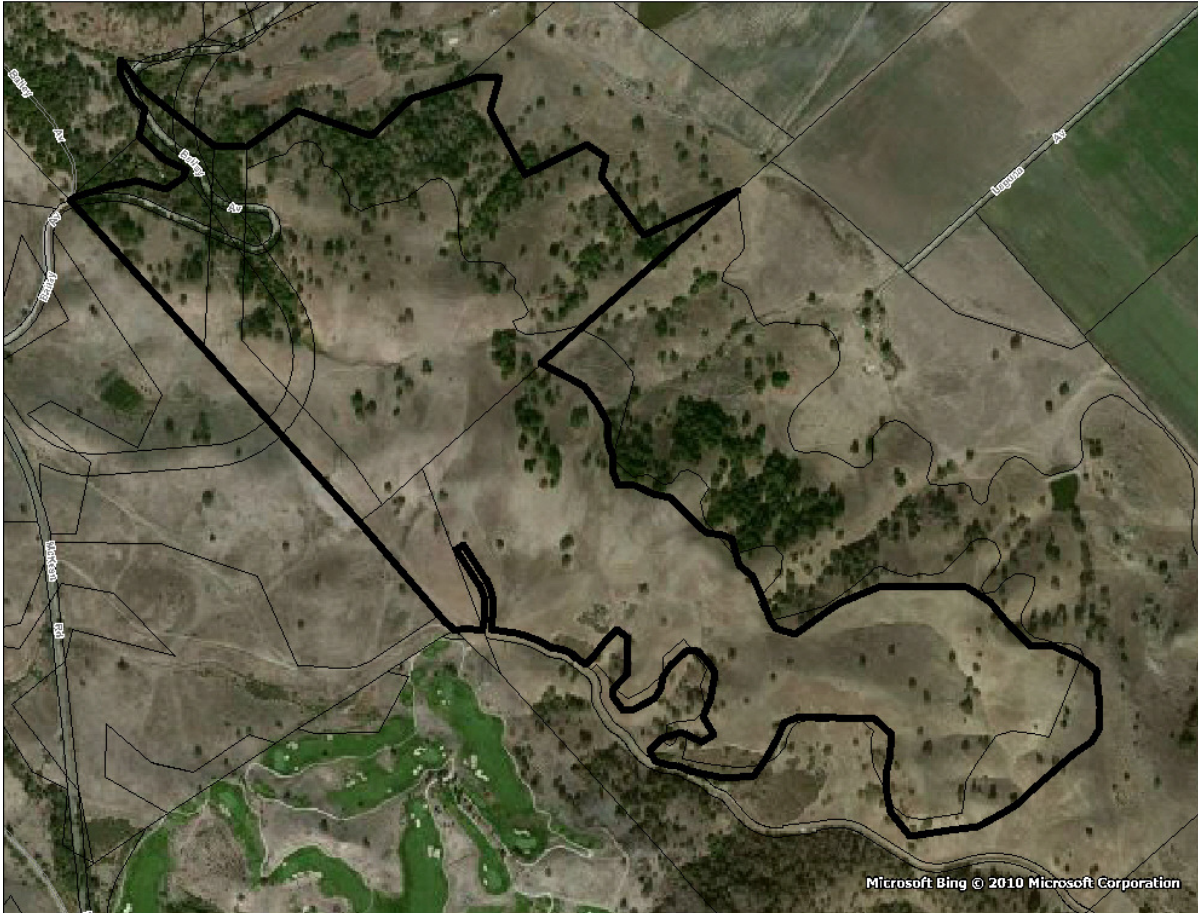
PROJECT DESCRIPTION: A General Plan Amendment to change the Land Use/Transportation Diagram designation from Private Recreation / Non-Urban Hillside / Campus Industrial to Open Hillside / Campus Industrial on a 222-acre site.

LOCATION: North side of Hwy 85 approximately 1200' West of Monterey Road

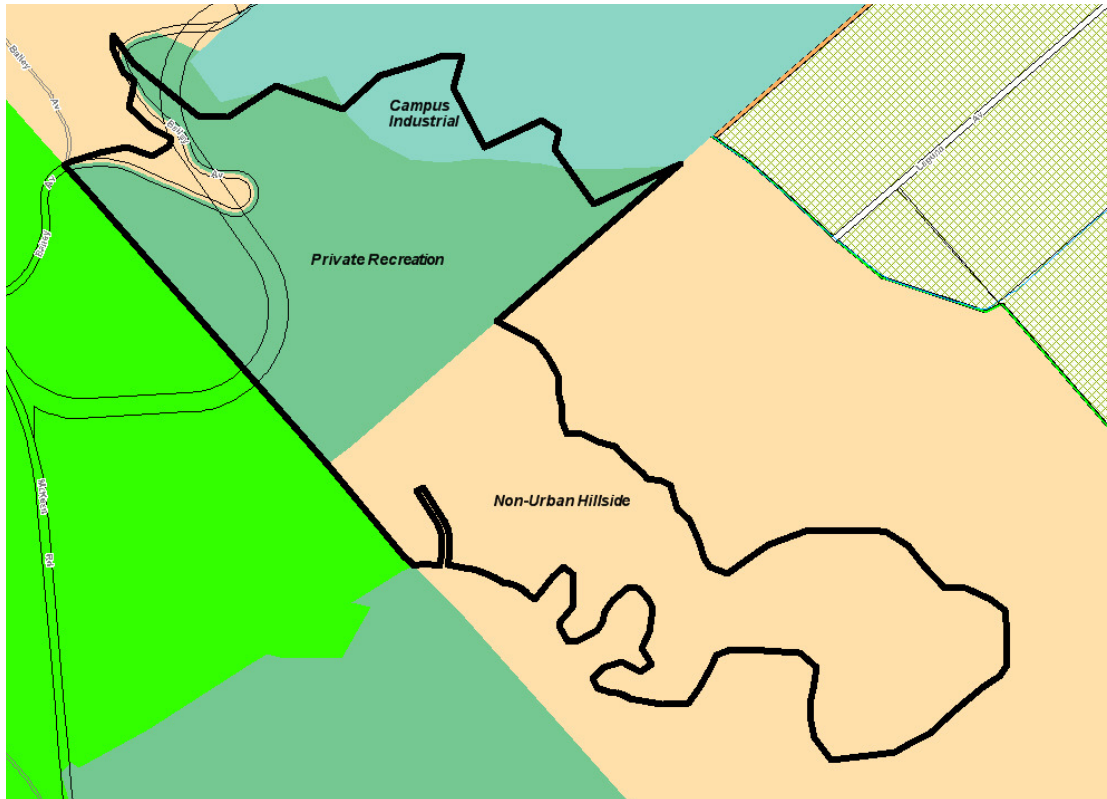
Council District: 2 **SNI/RDA:** N/A

Aerial Map

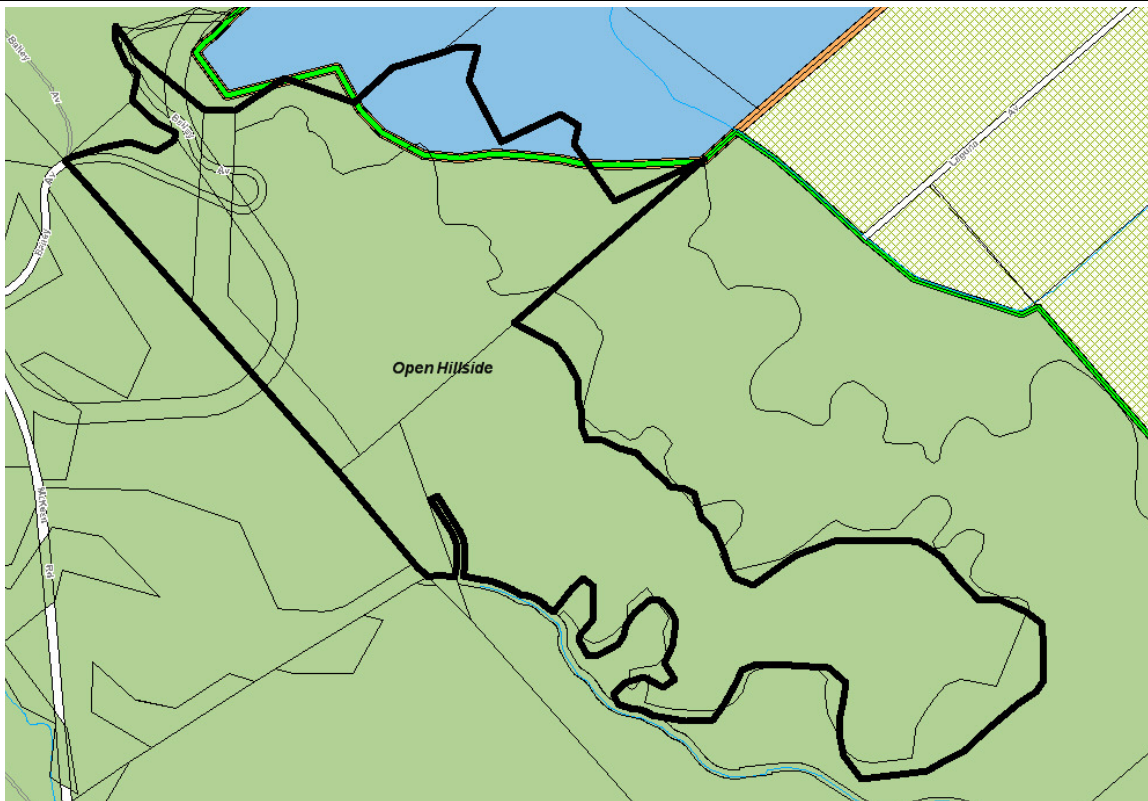
N ↑



EXISTING SAN JOSE 2020 GENERAL PLAN: Non Urban Hillside / Private Recreation / Campus Industrial



ENVISION SAN JOSE 2040 DESIGNATION: Open Hillside



Analysis of Pending Amendments

Two of the pending General Plan Amendments (Rancho del Pueblo and iStar) propose General Plan land use designations or use intensities that are different than those contained in the Envision Draft Land Use/Transportation Diagram, which was developed to reflect the Envision Preferred Land Use Scenario 7 endorsed by the City Council in April 2010. Specifically, both Amendments would convert an area of the City to residential use from other currently planned non-residential uses proposed to remain in the Envision Plan. The Rancho del Pueblo Amendment proposes a change from Open Space, Parklands and Habitat to Mixed Use Neighborhood, and the iStar Amendment proposes a change from Combined Industrial/Commercial to Mixed Use Neighborhood. Both Amendments were modified slightly from the original San Jose 2020 General Plan request to align with the land use designations available within the Envision Draft Plan. The Envision Mixed Use Neighborhood designation supports the development of townhouse residential units consistent with the objectives of the project applicants.

Following Council direction, the Rancho del Pueblo and iStar amendments were included as “Options” in the Envision Draft Program Environmental Impact Report (PEIR) and analyzed independently of the Preferred Land Use Scenario 7 (as Scenario 7A) so that the Council can have the option to consider them independently as Options to the Preferred Land Use Scenario when the Draft Envision San José 2040 General Plan is brought to Council for consideration, now scheduled for October 2011. In order to maintain the overall citywide amount of job and housing growth capacity as previously recommended by the Task Force and accepted by the City Council, preparation of Scenario 7A required offsetting adjustments to the planned job and housing growth capacity for other Envision Growth Areas. Generally, housing growth capacity was moved as needed from the nearest Urban Village locations while retaining adequate growth capacity to allow for some future residential development within those Village areas. The job growth allocated for the iStar site was reallocated to the Blossom Hill Road/Snell Avenue Light Rail Urban Village in order to take advantage of potential growth capacity identified for this Village through the Task Force Urban Village planning charrette exercise, and to promote transit use. The Envision Preferred Land Use Scenario includes significant new job growth capacity within the Edenvale Redevelopment Area so that with the amount moved to the Blossom Hill Road Snell Avenue Light Rail Village for Scenario 7A, the Edenvale Redevelopment Area will retain job capacity at a level greater than that requested by the City Council.

To address the Memorial Park Amendment, Council directed staff to further consider appropriate land uses for the Open Hillside designation which is applied to lands outside of the Urban Growth Boundary (UGB) on the Draft Envision Land Use/Transportation Diagram. Staff was advised to strengthen and protect lands outside of the City’s UGB while also providing reasonable opportunities for appropriate land uses. Because the proposed modification to the allowed uses of the Open Hillside designation could accommodate the proposed Memorial Park land use without altering the Draft Envision Land Use/Transportation Diagram, the pending General Plan Amendment (GP04-10-01) has thereby been “incorporated” into the current Envision Draft Plan and Diagram and does not require independent analysis as an “Option” within the Draft PEIR.

Rancho del Pueblo Golf Course (GP10-05-01)

The Draft *Envision San José 2040 General Plan* Land Use/Transportation Diagram identifies the approximately 31-acre Rancho del Pueblo golf course site near Highway 101 and King Road as Open Space, Parkland and Habitat, reflecting the current golf course/open space use of this property and consistent with the planned amounts and locations for job and housing growth identified in the Envision Preferred Land Use Scenario endorsed by the City Council in April 2010, and with the Draft Envision Land Use/Transportation Diagram accepted by the Council on October 19, 2010.

In June 2010, to address revenue loss concerns with operation of the Rancho del Pueblo golf course, the City Council directed staff to explore public/private partnership opportunities for the golf course, and to initiate the pending General Plan Amendment for the site to explore residential development on all or a portion of the property as part of the City's Asset Management program to generate increased revenue for the City. The proposed change in designation for the site to Mixed Use Residential would be anticipated to result in development of approximately 600 townhouse units. For the analysis of Scenario 7A and to maintain the overall growth capacity of the Draft Plan, these potential units were "reassigned" from other Growth Areas identified in the Preferred Land Use Scenario 7.

This proposed land use change has generated significant public interest, reflected in comments made by members of the public at the January 25, 2011 City Council meeting, in comments received in response to circulation of the Draft PEIR and in recent discussion in print media. The City has undertaken a community outreach program, lead by the City's Assets Management team, to specifically engage and receive input from stakeholders for the Rancho del Pueblo golf course and area residents. The first of several planned community meetings was held on August 17, 2011, and was attended by approximately 250 people, all of whom spoke in opposition.

Primary concerns raised by community stakeholders include loss of parkland and open space, loss of recreational opportunities, and increased traffic (especially along King and San Antonio Roads,) and other impacts associated with new residential development. The potential exposure of new residents to air quality impacts associated with the adjacent freeway has also been identified as a potential concern. At the same time, City operation of this golf course is currently a loss for the City's General Fund, and affects its ability to fund other important City services. Future development of housing under the proposed Amendment would include development of a park or other open space on the site to address community concerns related to open space and recreational activity, as consistent with the City's parkland policies. The Draft Envision Plan identifies improvement of the City's fiscal conditions as a high priority for the City's future, while also maintaining the City's goals of providing adequate parklands and recreational activities for its residents. Consideration of the pending Amendment will need to take both factors into consideration and evaluate which will best meet the needs of both the local community and the City's residents as they have been articulated within the Draft Plan.

As previously noted, the Draft Envision Land Use/Transportation Diagram, previously developed by staff and the Task Force, designates the Rancho del Pueblo site as Open Space, Parkland and Habitat. The Envision Task Force process included extensive consideration of the best locations for new job and housing growth particularly adjacent to transit, resulting in the identification of specific Growth Areas at other locations within the city, and did not proposed housing on the golf course site.

iStar in Edenvale (GP07-02-01 and PDC07-098)

This General Plan Amendment and associated Planned Development Zoning application (File Nos. GP07-02-01 and PDC07-098) on the iStar property were originally filed in 2007 as part of a combined set of applications for both the approximately 76-acre subject site in the Edenvale Redevelopment area, and a concurrent proposal to allow development of a soccer stadium for the Earthquakes team on the Airport West property on Coleman Avenue. The Amendment requests conversion of the entire 76-acre Edenvale iStar site from employment uses to the *Focus on the Future San Jose 2020 General Plan* land use designation of Medium High Density Residential (12-25 DU/AC) to accommodate the proposed development of between 914 to 1,905 dwelling units. The site is currently designated on the *San Jose 2020 General Plan* as Combined Industrial/Commercial with a Planned Development zoning for the development of up to 1 million square feet of industrial park uses and up to 400,000 square feet of commercial uses. Consistent with the Draft Envision Plan's emphasis on promoting economic

development, the Combined Industrial/Commercial designation was maintained within the Envision Draft Land Use/Transportation Diagram.

In January 2010, an Environmental Impact Report (Airport West Stadium and Great Oaks Place Project EIR) was certified that jointly considered the potential environmental impacts of the Planned Development Zoning to allow a soccer stadium on the Airport West site and the proposed General Plan Amendment and Planned Development zoning to allow a land use change to residential on the iStar site. Although both proposals were analyzed in the EIR, at the request of the applicant only the soccer stadium project was brought forward for Council consideration and approval at that time. Due to changes in the environmental context, including the development of the Envision Plan, new environmental analysis was necessary in order for the City to consider the requested iStar site Amendment as part of the Envision General Plan update process. Following Council direction in January 2011, the iStar Amendment was thus included as an “Option” in the Envision Draft PEIR. Because the Draft Envision Plan does not include the “Medium High Density Residential (12-25 DU/AC)” designation, the proposed conversion of the industrial and commercial site to townhome residential was analyzed as a change to the Envision “Mixed Use Residential” land use designation.

As discussed above, in order to maintain the total planned job and housing growth capacity accepted by the Task Force and City Council for the Envision Preferred Land Use Scenario, staff developed a distinct Scenario 7A that included the proposed Amendment and offsetting “reassignment” of planned job and housing growth from other identified Growth Areas. Conversion of either a portion of or the entirety of the iStar site to residential use would result in an overall increase in the amount of land designated for residential uses and a decrease in the amount of land designated for employment uses within San José. As a result of the reassignment of growth capacity to maintain the overall planned amounts of job and housing growth capacity, conversion of the iStar site to residential use would slightly decrease the density of future residential development and require that future employment uses be achieved at higher densities, given the net loss of up to 76 acres of employment lands, in order to reach the City’s job goals. Reductions to residential density would likely increase the negative fiscal and environmental impacts of future residential development while the loss of employment land, especially vacant employment land, available for future employment uses could make the City’s job growth goals more difficult to achieve.

Memorial Park Site and Urban Uses Outside the Urban Growth Boundary (GP04-10-01 and PDC04-041)

General Plan Amendment (GP04-10-01) and Planned Development zoning applications for a 222-acre Memorial Park on the hillsides south of Bailey Avenue in the Coyote Valley Planning Area have been on file with the City since 2004. The General Plan Amendment proposed a change to the existing *Focus on the Future San Jose 2020 General Plan* land use designations of Non-Urban Hillside and Private Recreation to Private Open Space, because in the *San Jose 2020 General Plan*, the latter designation proposes the development of a cemetery while the Non-Urban Hillside designation does not. The accompanying zoning application proposes development of a cemetery or memorial park encompassing typically urban uses, including construction of buildings and structures for a wide range of community gatherings and services, and administration purposes, and providing a variety of possible burial and memorial options (e.g., crematoria, mausoleums). The proposed zoning application currently on file would also allow significant changes to the site’s topography and vegetation in order to replace some of the existing hillside terrain with relatively flat, turf areas as typically found in an urban cemetery setting.

The site is designated as Open Hillside on the Draft *Envision San Jose 2040 General Plan Land Use/Transportation Diagram*. Following direction provided by the City Council and further discussed by the Envision Task Force, the definition of Open Hillside and supporting land use policies have been modified within the current Draft Plan (Draft #7) to support the potential for development of a cemetery on Open Hillside lands, provided that such development avoids or addresses potential environmental impacts.

The site of the proposed General Plan Amendment and Zoning is located outside the Urban Growth Boundary in hilly terrain and currently supports a wide variety of important habitat types. The current project proposal could have significant environmental impacts if developed as proposed. The Envision Draft PEIR addresses the potential environmental impacts of allowing cemeteries within the Open Hillside areas provided that such development conforms to various land use policies included within the Draft Plan that limit use of irrigation, loss of native habitat areas and other environmental impacts in these areas. It is anticipated that the proposed project would be significantly modified to conform to these policies if it were to proceed following adoption of the Envision General Plan. Further project level environmental review would also be necessary if the project were to proceed.

Based on the Guiding Principles that the City Council provided at the beginning of the Envision process and subsequent Task Force input, the Draft Envision Plan includes policies intended to strengthen the City's Urban Growth Boundary (UGB) and to protect the habitat areas located outside of the UGB. These policies are also consistent with the Envision environmental leadership goal, as well as other City initiatives such as the Green Vision and the Santa Clara Valley Habitat Conservation Plan (SCVHCP) under preparation. Specifically, the Draft Envision Plan clarifies and distinguishes the appropriate land uses and land use designations to be used within the interior and exterior of the UGB by including a new designation, Open Hillside, which is applied exclusively to the majority of lands outside of the UGB and by including a number of land use policies to provide further guidance for the use and development of Open Hillside lands.

The Open Hillside land use designation is intended for uses having very little physical impact on the land, requiring no urban facilities or services, and minimizing the visibility of buildings to reinforce the open space character of the area. This designation is also designed to protect watersheds and natural habitats, which is critical as extensions of more urban uses into open space areas put greater pressure on surrounding properties to develop at greater intensities. In particular, when water and sewer utilities are extended, it removes barriers to new residential development or other forms of induced growth.

To balance the need for both environmental protection of lands outside of the City's UGB and the conservation of potable water sources with the applicant's objectives, land use policies were included within the Draft Envision Plan to specify the protection of specific environmental resources while not precisely limiting the size or intensity of development that could be part of a future cemetery within the areas designated as Open Hillside.

In recent meetings, the project applicant has indicated that the proposed parameters of the Envision Plan Open Hillside designation provide adequate potential for the development of a cemetery to meet their project objectives and that no additional modifications to the Draft Plan language or Draft Land Use/Transportation Diagram will be necessary. Accordingly, staff concludes that the Draft Envision Plan effectively incorporates the pending General Plan Amendment and that no further staff review is necessary.

Conclusion

With the modifications to the Open Hillside designation now included in the Draft Envision Plan, and actions taken by the City Council on other pending General Plan Amendments during the past year, only two pending General Plan Amendment applications (Rancho del Pueblo and iStar) continue to warrant evaluation by the City. While these applications do not promote land use changes that would clearly advance the key land use goals of the Envision Draft Plan, the Envision Task Force may further discuss their merits and provide guidance or specific recommendations for consideration by the City Council at the conclusion of the Envision General Plan Update process.